

### COUNTY OF SAN LUIS OBISPO DEPARTMENT OF PLANNING AND BUILDING STAFF REPORT

### PLANNING DEPARTMENT HEARING

Promoting the wise use of land Helping build great communities

May 6, 2005	CONTACT/PHONE Elizabeth Kavanaugh (805)788-2010	APPLICANT Mid State Propertie	FILE NO. s COAL 04-0462 SUB 2004-00107	
of 15,000 square feet and feet and 19,794 square f proposed project is within	roperties for a Lot Line Adjustn I 22,292 square feet each. The eet each. The project will not n the Residential Suburban la f San Miguel. The site is in the	eadjustment will result in tw cresult in the creation of a nd use category and is lo	wo parcels of 17,498 square any additional parcels. The acated 8701 and 8747 Oak	
RECOMMENDED ACTION Approve Lot Line Adjustm in Exhibit B.	nent COAL 04-0462 based on t	he findings listed in Exhibit	A and the conditions listed	
ENVIRONMENTAL DETERMINATI A Class Five Categorical	เอง Exemption was issued on Apr	il 7, 2005.		
LAND USE CATEGORY Residential Suburban	COMBINING DESIGNATION None	ASSESSOR PARCEL NU 027-221-042 and 027-221-026	MBER SUPERVISOR DISTRICT(S) 1	
PLANNING AREA STANDARDS: None				
LAND USE ORDINANCE STANDA Setbacks	ARDS:			
EXISTING USES: Two single family resider	nces and two residential acces	sory structures.		
SURROUNDING LAND USE CATE North: Residential Subur South: Residential Subur			al Suburban / residence al Suburban / residences	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: San Miguel Community Advisory Group, Public Works, Environmental Health, Ag Commissioner, County Parks, San Miguel Community Services District, and San Miguel Fire.				
TOPOGRAPHY: Nearly level		vegetation: Non-native grasse oak trees	es, ornamentals, and a few	
PROPOSED SERVICES:  Water supply: Community Water  Sewage Disposal: Individual septic system  Fire Protection: San Miguel Fire  ACCEPTANCE DATE:  ACCEPTANCE				

Additional information may be obtained by contacting the Department of Planning & Building at: County Government Center ♦ San Luis Obispo ♦ California 93408 ♦ (805) 781-5600 ♦ Fax: (805) 781-1242

#### ORDINANCE COMPLIANCE:

The applicant is proposing to adjust the lot lines between two legal parcels as follows:

EXISTING LOT SIZES SQ. FT.	ADJUSTED PARCEL SIZES SQ. FT.
15,000	17,498
22,292	19,794

Section 21.02.030 of the Real Property Division Ordinance states that a lot line adjustment shall not be approved or conditionally approved unless the new parcels resulting from the adjustment will maintain a position which is better than, or equal to, the existing situation relative to the county's zoning and building ordinances. The adjustment will result in the reconfiguration of the two parcels to more nearly equalize the parcel sizes.

#### SB 497

As of January 1, 2002, lot line adjustments are limited to four or fewer existing adjoining parcels. In addition, the new parcels must comply not only with zoning and building regulations, but also with the general plan and any applicable coastal plan. The County's local ordinance allows a determination to be made that the proposed situation is equal to or better than the existing situation. Because the parcel sizes are below minimum parcel size as set through the General Plan and will remain so after the adjustment, staff has concluded that the adjustment is consistent with both state and local law.

### ORDINANCE COMPLIANCE

All buildings on both parcels meet the setback standards of the Land Use Ordinance

### **LEGAL LOT STATUS:**

Certificate of Compliance C78-0045 legally recognized both lots.

#### **FINDINGS - EXHIBIT A**

- A. The proposed Lot Line Adjustment is consistent with the provisions of Section 21.02.030 of the Real Property Division Ordinance because the adjustment will result in the reconfiguration of the two parcels to more nearly equalize the parcel sizes.
- B. The proposal will have no adverse effect on adjoining properties, roadways, public improvements, or utilities.
- C. Compliance with the attached conditions will bring the proposed adjustment into conformance with the Subdivision Map Act and Section 21.02.030 of the Real Property Division Ordinance.
- D. The project qualifies for a Categorical Exemption (Class Five exemption) pursuant to CEQA Guidelines Section 15305 because this is a minor alteration in land use with average slopes of less than 20 percent.

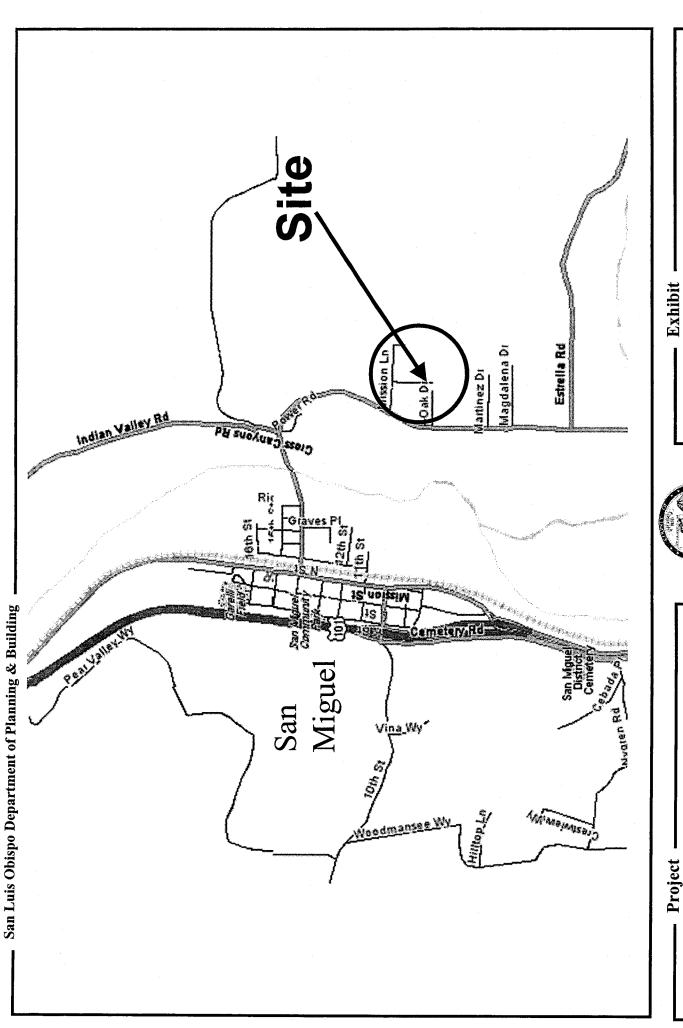
## EXHIBIT B Conditions of approval for COAL 04-0462

- 1. This adjustment may be effectuated by recordation of a parcel map or recordation of certificates of compliance. If a map is filed, it shall show:
  - a. All public utility easements.
  - b. All approved street names.
  - c. All access easements.
- 2. Any private easements described in the title report must be shown on the map, with recording data.
- 3. When the map is submitted for checking, or when the certificate of compliance is filed for review, provide a preliminary title report to the County Engineer or the Planning Director for review.
- 4. All conditions of approval herein specified are to be complied with prior to the recordation of the map or certificates of compliance which effectuate the adjustment. Recordation of a map is at the option of the applicant. However, if a map is not filed, recordation of a certificate of compliance is mandatory.
- 5. The map or certificates of compliance shall be filed with the County Recorder prior to transfer of the adjusted portions of the property or the conveyance of the new parcels.
- 6. In order to consummate the adjustment of the lot lines to the new configuration when there is multiple ownerships involved, it is required that the parties involved quitclaim their interest in one another new parcels. Any deeds of trust involving the parcels must also be adjusted by recording new trust deeds concurrently with the map or certificates of compliance.
- 7. If the lot line adjustment is finalized using certificates of compliance, prior to final approval the applicant shall prepay all current and delinquent real property taxes and assessments collected as real property taxes when due prior to final approval.
- 8. The lot line adjustment will expire two years (24 months) from the date of the approval, unless the map or certificates of compliance effectuating the adjustment is recorded first. Adjustments may be granted a single one year extension of time. The applicant must submit a written request with appropriate fees to the Planning Department prior to the expiration date.
- 9. All timeframes on completion of lot line adjustments are measured from the date the Review Authority approves the lot line adjustment map, not from any date of possible reconsideration action
- 10. All parcels shall be provided with legal access from a public road. Easements or offers of dedication with a minimum width of 20 feet shall be recorded for both parcels. These shall be shown on a map (if a map is used to final the adjustment) or recorded with the certificates of compliance.

Planning Department Hearing COAL04-0462 / Mid State Properties Page 5

11. The applicant shall as a condition of approval of this lot line adjustment application defend, indemnify and hold harmless the County of San Luis Obispo or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul any approval of the County concerning this lot line adjustment, which action is brought within the time period provided for by law. This condition is subject to the provisions of Government Code section 66474.9, which are incorporated by reference herein as though set forth in full.

Staff report prepared by Elizabeth Kavanaugh and reviewed by Kami Griffin, Supervising Planner



- Exhibit

Vicinity Map



Mid State Properties/ COAL04-0462/ SUB2004-00107

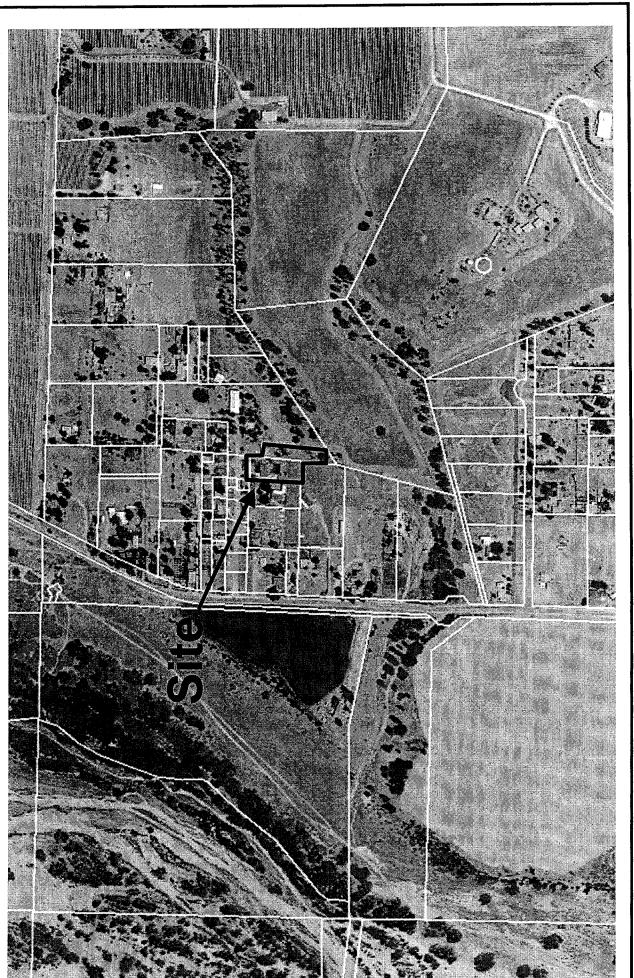
Lot Line Adjustment

San Luis Obispo Department of Planning & Building

Land Use Category Map Exhibit







San Luis Obispo Department of Planning & Building

Aerial Photograph



Mid State Properties/ COAL04-0462/ SUB2004-00107

- Project

Lot Line Adjustment

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San Luis Obispo Department of Planning & Building

Exhibit



Mid State Properties/ COAL04-0462/ SUB2004-00107

Project

Lot Line Adjustment

Lot Line Adjustment Map



## San Luis Obispo County

WEBSITE: http://www.slocoplanbldg.com

## DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP DIRECTOR

### THIS IS A NEW PROJECT REFERRAL

	IIISISA	NEW TROOPS TELL TELL
DATE:	9/17/2004	
TO:	Villey.	MID STATE PROP.
FROM:	(Please direct response to the above	SUBJOU - 05/87  Project Name and Number co A L 04-0462
ARUEL I PROJECT I	Development Review Section (Photescription:	result in Parcel 2 increasing in
Size (	midth). COAL 04-01	162 off Oak Drive in San Miguel.
See &	ite plan.	1-1-1-1
Return this le	tter with your comments attached no	· (
PART I		TION ADEQUATE FOR YOU TO DO YOUR REVIEW?
	NO (Call me we must	o on to Part II) ASAP to discuss what else you need. We have only 30 days in which accept the project as complete or request additional information.)
PART II	ARE THERE SIGNIFICANT COREVIEW?	NCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF
	VES (Please d	o on to Part III) escribe impacts, along with recommended mitigation measures to e impacts to less-than-significant levels, and attach to this letter.)
PART III	roommand to l	ENDATION FOR FINAL ACTION. Please attach any conditions of the incorporated into the project's approval, or state reasons for HAVE "NO COMMENT," PLEASE INDICATE OR CALL.
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FAX: (805) 781-1242

EMAIL: planning@co.slo.ca.us



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### SAN LUIS OBISPO COUNTY

## DEPARTMENT OF PLANNING AND BUILDING

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VICTOR HOLANDA, AICP DIRECTOR

THIS IS A NEW PROJECT REFERRAL

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DATE:	9/17/2004	
<b>TROM</b>	PW'	MID STATE PROP.
FROM	(Please direct response to the al	Project Name and Number COAL 64-646 A
ARCEL 1	Development Review Section (	Phone: 781-788-2009  PARCEL 2
	DESCRIPTION: LLA -	-> between 027-221-642 a
> 027-	221-026. Wi	I result in Parcel 2 increasing in
size (	width). COAL 04-	0462 off Oak Drive in Santliquel
See &	site plan.	1. )
Return this le	etter with your comments attached	no later than: \[ \lambda \rangle 0 \rangle 0 \rangle \lambda \]
PART I	IS THE ATTACHED INFORM	MATION ADEQUATE FOR YOU TO DO YOUR REVIEW?
	YES (Please NO (Call r we mu	e go on to Part II) ne ASAP to discuss what else you need. We have only 30 days in which ust accept the project as complete or request additional information.)
PART II	ARE THERE SIGNIFICANT (REVIEW?	CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF
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FMAIL		xx: (805) 781-1242 • WEBSITE: http://www.slocoplanbldg.com

### SAN LUIS OBISPO COUNTY

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# DEPARTMENT, OF PLANNING AND BUILDING

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VICTOR HOLANDA, AICP DIRECTOR

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FROM	(Please direct respo	O. TEAM  nse to the above)	<b>-</b>	SUB 200 Project Name and 1	Number COAL 04-	<del> </del> -0462
20	Development Revie	w Section (Phone: 78	1-788-	2009	RCEL 2	)
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FAX: (805) 781-1242

FMAII: planning@co.slo.ca.us

### SAN LUIS OBISPO COUNTY



# DEPARTMENT OF PLANNING AND BUILDING

OCT 0 7 20 MICTOR HOLANDA, AICP

Planning & Bidg

	THIS IS A NEW PROJECT REFERRAL
DATE:	9/17/2004 10/06/04
wro:	Parus 9716 MID STATE PROP.
OFROM:	(Please direct response to the above)  SUBJUU - OD 67  Project Name and Number COAL 04-0462
ARUEL <sup>1</sup> PROJECT D	Development Review Section (Phone: 781-788-2009)  DESCRIPTION: LA -> Detween 027-221-042 & Detween 021-042 & Detween 021
	vidth). COAL 04-04/12 off Oak Drive in San Miguel
See 5 Return this le	tter with your comments attached no later than:
PART I	IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?
	YES (Please go on to Part II) NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)
PART II	ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?
	NO (Please go on to Part III) YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)
<u>PART III</u>	INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.
<u></u>	o comment.
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EMAIL:	planning@co.slo.ca.us • FAX: (805) 781-1242 • WEBSITE: http://www.slocoplanbldg.com

## ENVIRONMENTAL DESCRIPTION FORM

San	L	uis	Ol	bisp	00	County Department of Planning and Building	File	e No	_
				•					-

The California Environmental Quality Act (CEQA) requires all state and local agencies to consider and mitigate environmental impacts for their own actions and when permitting private projects. The Act also requires that an environmental impact report (EIR) be prepared for all actions that may significantly affect the quality of the environment. The information you provide on this form will help the Department of Planning and Building determine whether or not your project will significantly affect the quality of the environment.

To ensure that your environmental review is completed as quickly as possible, please remember to:

Answer ALL of the questions as accurately and completely as possible.

Include any additional information or explanations where you believe it would be helpful or where required. Include additional pages if needed.

If you are requesting a land division or a re-zoning, be sure to include complete information about future development that may result from the proposed land division or rezoning.

Include references to any reports or studies you are aware of that might be relevant to the questions asked or the answers you provide.

Should a determination be made that the information is inaccurate or insufficient, you will be required to submit additional information upon request.

### Physical Site Characteristic Information

Your site plan will also need to show the information requested here

	F ··
1.	Describe the topography of the site:
	Level to gently rolling, 0-10% slopes:0.9acres
	Moderate slopes of 10-30%:acres
	Steep slopes over 30%:acres
2.	Are there any springs, streams, lakes or marshes on or near the site?   Yes  No
	If yes, please describe:
3.	Are there any flooding problems on the site or in the surrounding area ☐ Yes 🖺 No
	If yes, please describe:
4.	Has a drainage plan been prepared? ☐ Yes ☐ No
	If yes, please include with application.
5.	Has there been any grading or earthwork on the project site? ☐ Yes 📋 No
	If yes, please explain:
6.	Has a grading plan been prepared? □ Yes 🗵 No
	If yes, please include with application.
7.	Are there any sewer ponds/waste disposal sites on/adjacent to the project? ☐ Yes ☐ No
8. ·	Is a railroad or highway within 300 feet of your project site?
9.	Can the proposed project be seen from surrounding public roads? △ Yes □ No
	If yes, please list:Oak Drive